THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO.16509 OF 2005.

DATED 27-07-2005.

Between

1.Mediboyina Chakra Rao and

8 others

....Petitioners

And

1.The District Collelctor, E.G.District

Kakinada and 2 others

...Respondents

ORDER

In this writ petition, the petitioners by way of Writ of Mandamus seek to declare the action of the respondent authorities in trying to dispossess the petitioners from the schedule land to an extent of Ac.2.08 in R.S.No.289/2 and 249 situated at Kolanka village, Pitapuram Mandal, East Godavari District, without following the due process of law is arbitrary, illegal and unconstitutional apart from being violative of the Rules framed under the Act and consequently direct the respondents not to dispossess the petitioners from the above land.

It is the grievance of the petitioners that they have been in possession and enjoyment of an extent of Ac.2.08 of land in R.S.No.289/2 and 249 situated at Kolanka village, Pitapuram Mandal, East Godavari District, and recognizing the same, they were granted pattas in respect of the said lands by the Settlement Officer way back in the year 1964. The apprehension of the petitioners is that the respondents are trying to dispossess them from the said land stating that

the same is a Government Poramboke land, without giving any notice or opportunity to them.

Considering the submissions made and on perusal of record, it is seen that admittedly, the petitioners were not given any notices nor provided any opportunity before initiating any such action. In the circumstances, I deem it appropriate to dispose of the writ petition at the stage of admission directing the respondents not to dispossess the petitioner from the schedule land without following due process of law.

27-07-2005

Hsd